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Counsel for Defendants

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING

TIMOTHY MELLON, a Wyoming resident )

Plaintiff, )

v. )

Case No. 13 CV 118-S

THE INTERNATIONAL GROUP FOR )

HISTORIC AIRCRAFT RECOVERY, a )

Delaware non-profit corporation and )

RICHARD E. GILLESPIE, )

Defendants. )

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**STIPULATED MOTION TO EXTEND DISCOVERY DEADLINES**

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**COMES NOW** the parties hereto, Plaintiff Timothy Mellon by and through his counsel of record, Tim Stubson and Jeff Oven of Crowley Fleck PLLP, and Defendants The Group For Historic Aircraft Recovery (TIGHAR) and Richard E. Gillespie, through their counsel of record, John A. Masterson and Alaina M. Stedillie of Lewis Roca Rothgerber LLP and William J. Carter of Dean & Carter, PLLC, and respectfully moves this Court for its Order extending certain pretrial deadlines.

As grounds for this *Stipulated Motion*, the Parties state and affirm as follows.

1. Pursuant to the Court's Order on Initial Pretrial Conference ("Order"), dated October 10, 2013, the current deadline for Defendants to designate expert witness is March 28, 2014. Pursuant to the Order, discovery cut-off is currently set for May 30, 2014.
2. Plaintiff, TIGHAR and Ric Gillespie (collectively "the Parties") have produced documents, propounded and responded to discovery requests, and have generally been diligent in the discovery process.
3. Despite the good faith efforts of the Parties, additional time is necessary for the Defendants to submit their expert reports. Before the deadline for submitting those reports the Parties agreed to an extension of the March 28, 2014, deadline to April 15, 2014.
4. The resulting extension for the filing of Defendants' expert reports will necessitate an extension of the discovery cut-off time in this matter, and the Parties have agreed to an extension until June 15, 2014, for this cut-off.

5. The Parties respectfully request an extension of time for both deadlines, up to and through April 15, 2014, for the expert designation, and June 15, 2014, for the discovery cut-off.

6. Trial in this matter is not scheduled until August 25, 2014, and no additional pretrial deadlines, or the trial date, will be impacted by the stipulated extensions.

7. The Parties have not sought previous extensions of time in this matter, and agree that the requested extension will not be prejudicial to any Party.

8. In submitting this *Stipulated Motion*, the Parties affirmatively state that all and each of them have reviewed and approved of its form and substance, as signified by their electronic signatures below, affixed with the approval and consent of their respective counsel

**WHEREFORE, THE PARTIES** request the deadline within which Defendants must file their expert designations be extended to April 15, 2014, and the discovery cut-off date in this matter be extended to June 15, 2014.

**DATED** this 6th day of April, 2014

Respectfully Submitted,

/s/

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### **CERTIFICATE OF SERVICE**

I hereby certify that on the 6th day of April, 2014, a true and correct copy of the foregoing was electronically served upon all parties registered as CM/ECF users in this case via the Court's CM/ECF electronic mail service including the following:

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/s/

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